

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

J.S. and R.S. individually,
and on behalf of John S., a minor,

Plaintiffs,

-against-

THE NEW YORK CITY DEPARTMENT
OF EDUCATION and THE NEW
YORK STATE EDUCATION
DEPARTMENT,

Defendants.

**PLAINTIFFS' NOTICE OF MOTION
TO AMEND COMPLAINT**

ECF

Case No.: 15 CV0355 (AT)

Hon. Analisa Torres

PLEASE TAKE NOTICE that upon the annexed Declaration of Lawrence Weinberg, dated May 14, 2015 at the United States Courthouse for the Southern District of New York, located at 500 Pearl Street, New York, New York, on a date to be set by the Court, Plaintiffs will move this court for an order granting leave to amend their complaint pursuant to Rule 15 of the Federal Rules of Civil Procedure on the grounds that justice so requires.

Respectfully submitted,

/s

LAWRENCE D. WEINBERG (LW7841)
Attorney for Plaintiffs

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May 14, 2015

To: Justin Killian, Esq.

The City of New York Law Department

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Attorneys for Defendant New York City Department of Education

Clement John Colucci, III

State of New York, Office of the Attorney General,

120 Broadway

New York City, NY, 10271

Clement.Colucci@ag.ny.gov

Attorneys for Defendant New York State Education Department

CERTIFICATION OF SERVICE

I, Lawrence D. Weinberg, **declare under penalty of perjury** that I have served a copy of the attached Plaintiffs' Notice of to Amend Complaint, dated May 14, 2015 and Declaration of Lawrence Weinberg, dated, May 14, 2015, upon defendant New York City Department of Education's attorney, Justin Killian, Esq., whose address is The City of New York Law Department, 100 Church St., New York, New York, 10007 by filing such documents via electronic filing to the Southern District of New York CM/ECF system, which will send notification to the above and by emailing said documents to and The New York State Education Department's attorney, Clement John Colucci, III, State of New York, Office of the Attorney General, 120 Broadway, New York City, NY, 10271 by emailing such documents to him at Clement.Colucci@ag.ny.gov an email address at which he used when he previously entered his appearance in this matter.

Respectfully submitted,

/s

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Date: May 14, 2015